

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Lawrence M. Connelly
aka Larry M. Connelly
Patricia Connelly
Debtor(s)

Bankruptcy Case No.: 17-20347-JAD
Issued Per Aug. 3, 2017 Proceeding
Chapter: 13
Docket No.: 34 – 19, 26, 28
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated June 16, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☒ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: I.R.S. at Claim No. 20 .
- ☒ H. Additional Terms: Fee application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel.
Debtor is to provide the Trustee with information within 30 days of the balance and payoff dates of retirement account loans, and if paid off during the remaining term of the plan, will be added to the plan as additional plan funding for distribution to unsecured creditors.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: August 7, 2017

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Lawrence M. Connelly
 Patricia Connelly
 Debtors

Case No. 17-20347-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

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 Total Noticed: 30

Date Rcvd: Aug 07, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 09, 2017.

db/jdb
 cr +Lawrence M. Connelly, Patricia Connelly, 39 Chartiers Avenue, Braddock, PA 15104-1003
 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
 Pittsburgh, PA 15233-1828
 14357298 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank of America, PO Box 15019, Wilmington, DE 19886)
 14406514 +Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284
 14357301 +Citi, PO Box 6004, Sioux Falls, SD 57117-6004
 14520906 Department Store National Bank, c/o Quantum3 Group LLC, PO Box 657,
 Kirkland, WA 98083-0657
 14357302 +Discover, PO Box 742655, Cincinnati, OH 45274-2655
 14368467 +Dollar Bank, PO Box 3969, Pittsburgh PA 15230-3969
 14357303 +Dollar Bank, PO Box 555, Pittsburgh, PA 15230-0555
 14358505 ++FORD MOTOR CREDIT COMPANY, P O BOX 62180, COLORADO SPRINGS CO 80962-2180
 (address filed with court: Ford Motor Credit Company, LLC, P.O. Box 62180,
 Colorado Springs, CO 80962)
 14357304 +Ford Credit, PO Box 542000, Omaha, NE 68154-8000
 14411656 +MIDLAND FUNDING LLC, PO Box 2011, Warren, MI 48090-2011
 14357307 +Macy's, PO Box 8058, Mason, OH 45040-8058
 14357309 PNC Bank Visa, PO Box 3429, Pittsburgh, PA 15230-3429
 14415811 +PNC Bank, N.A., PO BOX 94982, Cleveland, OH 44101-4982
 14357310 +PNC Mortgage, PO Box 1820, Dayton, OH 45401-1820
 14637210 +PNC Mortgage, a division of PNC Bank, NA, Attn: Bankruptcy, 3232 Newmark Drive,
 Miamisburg, OH 45342-5421
 14357312 Rankin Borough, c/o PA Municipal Services, 336 Delaware Avenue, Dept. U-019,
 Oakmont, PA 15139-2138
 14357313 +Riverset Credit Union, 1700 Jane Street, Pittsburgh, PA 15203-1812
 14357314 +Sears, PO Box 6286, Sioux Falls, SD 57117-6286
 14357315 +Sunoco, PO Box 6406, Sioux Falls, SD 57117-6406
 14357316 +The Home Depot, PO Box 9001010, Louisville, KY 40290-1010
 14357311 Woodland Hills S.D./Rankin Borough, c/o PA Municipal Services,
 336 Delaware Avenue, Dept W-62, Oakmont, PA 15139-2138

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14401701 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Aug 08 2017 03:09:47
 American InfoSource LP as agent for, Verizon, PO Box 248838,
 Oklahoma City, OK 73124-8838
 14357300 +E-mail/PDF: gecsedirecoverycorp.com Aug 08 2017 00:56:23 BP/SYNCB, PO Box 530942,
 Atlanta, GA 30353-0942
 14361843 E-mail/Text: mrdiscen@discover.com Aug 08 2017 00:54:39 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 14519750 +E-mail/Text: DQENOTICES@BERNSTEINLAW.COM Aug 08 2017 00:55:26 Duquesne Light Company,
 c/o Peter J. Ashcroft,, Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,,
 Pittsburgh, PA 15219-1945
 14664306 +E-mail/Text: cio.bncmail@irs.gov Aug 08 2017 00:54:42 Internal Revenue Service,
 1000 Liberty Ave Room 711B, Pittsburgh, PA 15222-4107
 14357306 +E-mail/PDF: gecsedirecoverycorp.com Aug 08 2017 00:56:18 Lowes, PO Box 530914,
 Atlanta, GA 30353-0914
 14637224 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 08 2017 00:56:31
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541

TOTAL: 7

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Duquesne Light Company
 cr PNC BANK, NATIONAL ASSOCIATION
 14357299* ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank of America, PO Box 15019, Wilmington, DE 19886)
 14357305* +Ford Credit, PO Box 542000, Omaha, NE 68154-8000
 14357308* +Macy's, PO Box 8058, Mason, OH 45040-8058

TOTALS: 2, * 3, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0315-2

User: jhel
Form ID: 149

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Total Noticed: 30

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***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 09, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 7, 2017 at the address(es) listed below:

James Warmbrodt on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION bkgroup@kmllawgroup.com
Kenneth M. Steinberg on behalf of Joint Debtor Patricia Connelly
julie.steidl@steidl-steinberg.com,
kenny.steinberg@steidl-steinberg.com;cgoga@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com
;clivingston@steidl-steinberg.com;r53037@notify.bestcase.com
Kenneth M. Steinberg on behalf of Debtor Lawrence M. Connelly julie.steidl@steidl-steinberg.com,
kenny.steinberg@steidl-steinberg.com;cgoga@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com
;clivingston@steidl-steinberg.com;r53037@notify.bestcase.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Peter J. Ashcroft on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com,
ckutch@ecf.courtdrive.com;pashcroft@ecf.courtdrive.com;pghecf@bernsteinlaw.com;dschimizzi@bernste
inlaw.com;acarr@bernsteinlaw.com;cabbott@ecf.courtdrive.com
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com

TOTAL: 7